

From: r\_e\_rutkowski@hotmail.com  
Sent: Friday, May 05, 2006 12:38 PM  
To: NOP Livestock  
Cc: comments@whitehouse.gov%inter2  
Subject: Reference Docket #: TM-06-06-PR

Mark Bradley, Associate Deputy Administrator Transportation and Marketing Program, National Organic Program 1400 Independence Avenue, SW, Room 4008--SO, Ag Stop 0268 Washington, DC 20250

Email: nop.livestock@usda.gov ; Fax to: 202-205-7808

Reference Docket #: TM-06-06-PR

Dear Associate Deputy Administrator:

The USDA National Organic Program has issued a major rule proposal with a very brief comment period. These proposed regulations were required by the court's final judgment in Harvey v. Johanns, and to implement the amendments to the Organic Foods Production Act which was signed into law on November 10, 2005.

The proposed rules are neither clear nor complete. The USDA proposal:

- Fails to clearly prohibit certified dairy operations from continually importing conventionally raised replacement animals and transitioning them to organic management;
- Fails to prevent use of hundreds of "non-ingredient" synthetic substances in processed organic foods, including processing aids and other materials that contact organic food;
- Fails to describe the "emergency" process that will be used by the USDA to decide when a non-organic agricultural ingredient can be used in organic products due to "commercial unavailability" of organic ingredients.

Please get the regulations right this time I insist that the USDA:

Close the dairy transition loophole. Require that all replacement animals on all certified dairy operations be raised organically from the last third of gestation.

Require that all synthetic food processing substances meet the same criteria required of synthetic and nonsynthetic ingredients;

Write formal rules for emergency declarations of "commercial unavailability" before such allowances are granted.

Thank you for the opportunity to bring these remarks to your attention.

Mindful of the enormous responsibilities which stand before you, I am,

Yours sincerely,  
Robert E. Rutkowski

cc:  
House Democratic Leadership  
President George W. Bush

2527 Faxon Court  
Topeka, Kansas 66605-2086  
P/F: 1 785 379-9671  
E-mail: r\_e\_rutkowski@myrealbox.com